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| CERTIFICATE OF MAILING 37 C.F.R. 1.8 | |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date below: | |
| August 3, 2004 Date | Steven L. Highlander |

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Paul E. Neiman

Serial No.: 10/025,199

Filed: December 18, 2001

For: GENE TRANSFER IN CHICKEN
BURSAL STEM CELLS

Group Art Unit: 1636

Examiner: Daniel M. Sullivan

Atty. Dkt. No.: FHCC:009US/SLH

RESPONSE TO RESTRICTION REQUIREMENT DATED MARCH 4, 2004

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

This paper is submitted in response to the Restriction Requirement dated March 4, 2004 for which the date for response was April 4, 2004.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/FHCC:009US/SLH.

A request for a four month extension of time to respond is included herewith along with the required fee. This four month extension will bring the due date to August 4, 2004, which is within the six-month statutory period. Should such request or fee be deficient or absent, consider

this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/FHCC:009US/SLH.

In response to the restriction requirement which the Examiner imposed, Applicant elects, without traverse, to prosecute claims 23-30, *i.e.*, the Group II claims.

The Examiner is invited to contact the undersigned attorney at (512) 536-3184 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Date: August 3, 2004